



City of
SANTA CLARITA

23920 Valencia Boulevard • Suite 300 • Santa Clarita, California 91355-2196
Phone: (661) 259-2489 • FAX: (661) 259-8125
www.santa-clarita.com

March 13, 2015

The Honorable Michael D. Antonovich
Mayor, County of Los Angeles
869 Kenneth Hahn Hall of Administration
500 W. Temple Street
Los Angeles, CA 90012

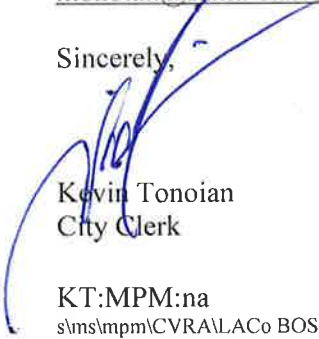
Dear Mayor Antonovich:

I am writing to request that the Los Angeles Board of Supervisors place on its agenda a request from the City of Santa Clarita to change the date of the City's municipal elections. The City of Santa Clarita currently conducts its elections in April of even-numbered years. The request is for the Board of Supervisors to approve changing the election to November of even-numbered years, effective November 2016.

Enclosed, please find a copy of the April 22, 2014, Santa Clarita City Council agenda report, which accompanied an ordinance to change the date of the City's election. The agenda report outlines the reasons for the requested change in the election date. A copy of adopted Ordinance 14-03 is attached, as well as the settlement agreement pertaining to California Voting Rights Act litigation. The approved minutes of the Santa Clarita City Council's regular meeting of April 22, 2014, are also attached. The requested date change is made as part of the settlement agreement.

Should you or your staff require additional information, please contact me at (661) 286-4027 or ktonoian@santa-clarita.com.

Sincerely,


Kevin Tonoian
City Clerk

KT:MPM:na
s:\ms\mpm\CVRALACo BOS Election Date Request Transmittal 031315.doc


Attachments (4)

cc. Kenneth W. Striplin, City Manager
Frank Oviedo, Assistant City Manager
Darren Hernández, Deputy City Manager
Michael Murphy, Intergovernmental Relations Officer
Joseph Montes, City Attorney

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

23 March 24, 2015


PATRICK OGAWA
ACTING EXECUTIVE OFFICER



**CITY OF SANTA CLARITA
AGENDA REPORT**

CONSENT CALENDAR

City Manager Approval:



Item to be presented by:

Joe Montes

DATE: April 22, 2014

SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, MOVING THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM THE SECOND TUESDAY IN APRIL IN EVEN-NUMBERED YEARS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER IN EVEN-NUMBERED YEARS BEGINNING IN NOVEMBER OF 2016

DEPARTMENT: City Attorney's Office

RECOMMENDED ACTION:

City Council adopt an Ordinance entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, MOVING THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM THE SECOND TUESDAY IN APRIL IN EVEN-NUMBERED YEARS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER IN EVEN-NUMBERED YEARS BEGINNING IN NOVEMBER OF 2016."

BACKGROUND:

In June 2013, Plaintiffs filed a lawsuit against the City of Santa Clarita in the Los Angeles County Superior Court alleging that the City is in violation of the California Voting Rights Act of 2001 by, among other things, maintaining an "at large" system for electing members of the City Council. The City disputes the allegations in the lawsuit and denies that the City violated the California Voting Rights Act of 2001.

In an effort to avoid the time and expense of protracted litigation, the City and the Plaintiffs have negotiated and executed a settlement (the "Settlement Agreement"), which requires, among other things, that the City Council consider and act on an ordinance to change the day of its general municipal election from the second Tuesday in April of each even-numbered year to the first

Adopted: Ord 14-03

1

Tuesday after the first Monday in November of each even-numbered year. A copy of the Settlement Agreement is attached to this Staff Report for the Council's reference.

The Settlement Agreement also requires that the City will operate the November City Council election as a concurrent election unless, in connection with any future November election, Los Angeles County approves the consolidation of the City Council election with the statewide general election, in which event the City Council election will be consolidated with the County election.

The Settlement Agreement further requires that the term of incumbent City Councilmembers who would otherwise be up for election in April of the year that Council elections are changed to November shall be extended from April to the date in December of that year when Council Members elected in November take office; and that the ordinance state that the ordinance is being considered pursuant to a negotiated settlement of the lawsuit; and that if the City Council in its discretion does not adopt the ordinance, then the Settlement Agreement shall be null and void. All of these required terms are included in the draft ordinance presented here for the Council's consideration.

The City's general municipal elections are currently held on the second Tuesday in April of each even-numbered year. Elections Code sections 1301 and 10403.5 authorize the City to reschedule its general municipal election to the day of the statewide general election.

This ordinance would not apply to the April 8, 2014, City Council election. The first City Council to which this ordinance would apply will be November 2016 or the first Council election that is at least one year after Los Angeles County allows the City Council elections to be changed from April to November, whichever is later.

The attached ordinance complies with the provisions of the Elections Code and the Settlement Agreement. If adopted, the Ordinance shall be forwarded to the County Board of Supervisors for their approval.

ALTERNATIVE ACTION:

Direct further modifications to the Draft Ordinance.

FISCAL IMPACT:

Because the City already conducts its own election, it is not anticipated that there would be an increased cost in the running of a concurrent November election. If the City were able to consolidate its election, there could be cost savings associated with the election. If the Board of Supervisors approves the ordinance, a notice must be sent to all Santa Clarita registered voters advising them of the change in election date, which would cost an estimated \$75,000.

ATTACHMENTS

Ordinance -
Settlement Agreement



City of
SANTA CLARITA

23920 Valencia Boulevard • Suite 300 • Santa Clarita, California 91355-2196

Phone: (661) 259-2489 • FAX: (661) 259-8125

www.santa-clarita.com

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF SANTA CLARITA)

**CERTIFICATION OF
CITY COUNCIL ORDINANCE**

I, Kevin Tonoian, City Clerk of the City of Santa Clarita, do hereby certify that this is a true and correct copy of the original Ordinance No. 14-03 adopted by the City Council of the City of Santa Clarita, CA on April 22, 2014, which is now on file in my office.

Witness my hand and seal of the City of Santa Clarita, California, this 13th day of March 2015.



City Clerk

By _____
Deputy City Clerk



ORDINANCE NO. 14-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, MOVING THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM THE SECOND TUESDAY IN APRIL IN EVEN-NUMBERED YEARS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER IN EVEN-NUMBERED YEARS BEGINNING IN NOVEMBER OF 2016

WHEREAS, the City's general municipal elections are currently held on the second Tuesday in April of each even-numbered year; and

WHEREAS, Elections Code sections 1301 and 10403.5 authorize the City to reschedule its general municipal election to the day of the statewide general election; and

WHEREAS, the City was sued in June 2013 in the Los Angeles County Superior Court, in a case alleging that the City is in violation of the California Voting Rights Act of 2001 by, among other things, maintaining an "at large" system for electing members of the City Council ("Lawsuit"); and

WHEREAS, the City disputes the allegations in the lawsuit and denies that the City has violated the California Voting Rights Act of 2001; and

WHEREAS, to avoid the expense of protracted litigation in the lawsuit, the City has nevertheless entered into a settlement (the "Settlement Agreement"), which requires, among other things, that the City Council consider and act on an ordinance to change the day of its general municipal election from the second Tuesday in April of each even-numbered year to the first Tuesday after the first Monday in November of each even-numbered year; and

WHEREAS, the City wishes to consolidate its elections with the statewide general election conducted by Los Angeles County on each first Tuesday after the first Monday in November of even-numbered years, but in the event that the Los Angeles County Board of Supervisors does not permit the City to consolidate its elections then the City wishes to nonetheless hold its elections concurrently with the statewide general election; and

WHEREAS, the Settlement Agreement requires that the City seek permission from the County to alternatively operate the November City Council election as a concurrent, but not consolidated, election if the ballot style, voting equipment, or computer capability of the County is such that additional elections or materials cannot be handled; and

WHEREAS, in connection with any future November election, Los Angeles County may approve the consolidation of the City Council election with the statewide general election, in which event the City Council election will be consolidated with the County election; and

WHEREAS, the Settlement Agreement further requires that the term of incumbent City

Council Members who would otherwise be up for election in April of the year that Council elections are changed to November shall be extended from April to the date in December of that year when Council Members elected in November take office; and that this ordinance state that the ordinance is being considered pursuant to a negotiated settlement of the lawsuit; and that if the City Council in its discretion does not adopt the ordinance contemplated in the Settlement Agreement, then the Settlement Agreement shall be null and void and the court with jurisdiction over the case shall vacate the judgment approving the settlement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA CLARITA ORDAINS AS FOLLOWS:

SECTION 1. Change of Election Day. Pursuant to sections 1301 and 10403.5 of the California Elections Code, the day of the general municipal election in the City of Santa Clarita, California is moved from the second Tuesday in April of each even-numbered year to the first Tuesday after the first Monday in November of each even-numbered year.

SECTION 2. Concurrent or Consolidated Election. Pursuant to section 1301 of the Elections Code, the City hereby requests that the County of Los Angeles approve consolidation of the City's November City Council election with the statewide general election conducted by the County in November of each even-numbered year. If the County denies the City's request for consolidation, the City alternatively requests that, pursuant to section 1301 of the Elections Code, the County permit the City to conduct its election concurrently with future statewide general elections (employing a separate ballot from that of the County election) unless and until such time as Los Angeles County approves the consolidation of the City Council election with the statewide general election, in which event the City Council election will be consolidated with the County election.

SECTION 3. Adjustment of Terms of Office. In accordance with Elections Code sections 1301 and 10403.5(d), because of the change of election date, the terms of office of those members of the City Council presently serving whose terms would previously have expired in April 2016, shall instead, continue in their offices until certification of the results and administration of oaths of office after the November 2016, general municipal election. The terms of office of those members of the City Council elected in April 2014, prior to the adoption of this ordinance, whose terms would previously have expired in April 2018, shall instead, continue in their offices until certification of the results and administration of oaths of office after the November 2018, general municipal election.

SECTION 4. Notice to Voters. If the Los Angeles County Board of Supervisors approves this ordinance, the City elections official shall cause a notice to be mailed to registered voters within the City of Santa Clarita as required by Elections Code section 10403.5(e).

SECTION 5. Environmental Review. The City Council finds that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061(c)(3) (the activity does not have the potential for causing a significant

effect on the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3.

SECTION 6. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

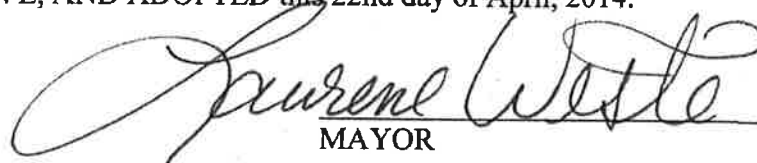
SECTION 7. Effective Date. Pursuant to Elections Codes sections 1301 and 10403.5, this ordinance shall not become operative until approved by the Los Angeles County Board of Supervisors ("Effective Date"). Within 30 days of the Effective Date, the City Clerk shall cause a notice to be mailed to all registered voters of the City informing them of the change in the election day.

SECTION 8. Date for First City Council Election in November. The first City Council election to be held in November shall be November 2016 or the first Council election that is at least one year after Los Angeles County allows the City Council elections to be changed from April to November, whichever is later.

SECTION 9: Settlement of the Lawsuit. This ordinance is being considered pursuant to a negotiated settlement of the Lawsuit.

SECTION 10. Publication and Notice to County. The City Clerk shall certify to the passage and adoption of this Ordinance, cause the same to be published according to law, and forward a copy of it to the Los Angeles County Board of Supervisors requesting approval by Board resolution.

PASSED, APPROVE, AND ADOPTED this 22nd day of April, 2014.


MAYOR

ATTEST:


INTERIM CITY CLERK

5/21/14
DATE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF SANTA CLARITA)

I, Arminé Chaparyan, Interim City Clerk of the City of Santa Clarita, do hereby certify that the foregoing Ordinance 14-03 was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 25th day of March, 2014. That thereafter, said Ordinance was duly passed and adopted at a regular meeting of the City Council on the 22nd day of April, 2014, by the following vote, to wit:

AYES: COUNCILMEMBERS: Kellar, Acosta, McLean, Boydston, Weste

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

AND I FURTHER CERTIFY that the foregoing is the original of Ordinance 14-03 and was published in The Signal newspaper in accordance with State Law (G.C. 40806).


INTERIM CITY CLERK

SETTLEMENT AGREEMENT

This Settlement Agreement ("Agreement") is entered into by Plaintiffs Jim Soliz and Rosemarie Sanchez-Fraser ("Plaintiffs") and the City of Santa Clarita ("City"). Plaintiffs and the City are collectively referred to herein as the "Parties." This Agreement shall be effective on the day the Agreement is signed by the City ("Effective Date").

RECITALS

A. On June 20, 2013, Plaintiffs filed a Complaint in the Los Angeles County Superior Court against the City designated Case Number BC 512735, which has been assigned to the Honorable Terry A. Green ("Lawsuit").

B. The Lawsuit alleges that the City is in violation of the California Voting Rights Act of 2001 (hereafter "CVRA") contained in California Elections Code Sections 14025 through 14032.

C. The City disputed the allegations of the Lawsuit and denied that the City violated the CVRA.

D. The City is a General Law City and is governed by the California Constitution and the laws of the State of California applicable to general law cities.

E. The City is governed by a five member City Council.

F. Currently, Council Members are elected in April of even numbered years with two Council seats open for election at one election and then two years thereafter three Council seats are open for election.

G. There will be three Council seats open for election in April 2014.

H. The Council seats are elected "at large" meaning that a Council Member can live anywhere within the City and be elected to the City Council by voters living anywhere within the City, as compared to a by-district election system in which Council Members are elected from designated districts within the City by voters living within such districts.

I. Voters in City Council elections are entitled to one vote for each of the Council seats up for election and may only cast one vote per candidate ("Current Voting Method").

J. Statewide general elections in California are held in November of even numbered years.

K. Plaintiffs and the City desire to settle fully and finally all differences between them with regard to the Lawsuit.

NOW, THEREFORE, in consideration of the promises herein contained, IT IS AGREED BY THE PARTIES AS FOLLOWS:

1. The Parties hereby incorporate by reference the foregoing Recitals and agree that said Recitals are true and correct.

2. The City will agendize for City Council consideration an ordinance changing City Council elections, pursuant to Elections Code section 1301, from April to November of even numbered years to coincide with statewide general elections ("Ordinance"). The second reading of the Ordinance will be held within 60 days of the execution of this Agreement by the City. The provisions of the Ordinance will include, but not be limited to, the following:

A. City Council elections will be changed from April of even numbered years to November of even numbered years to coincide with statewide general elections.

B. The City will operate the November City Council election as a concurrent election unless, in connection with any future November election, Los Angeles County approves the consolidation of the City Council election with the statewide general election, in which event the City Council election will be consolidated with the County election.

C. The Ordinance will provide that the first City Council election to be held in November shall be November 2016 or the first Council election that is at least one year after Los Angeles County allows the City Council elections to be changed from April to November, whichever is later.

D. The term of incumbent City Council Members who would otherwise be up for election in April of the year that Council elections are changed to November shall be extended from the April to the date in December of that year when Council Members elected in November take office.

E. The Ordinance is being considered pursuant to a negotiated settlement of the Lawsuit.

F. If the City Council in its discretion does not adopt the Ordinance contemplated herein, then this Settlement Agreement shall be null and void and Court shall vacate the Judgment.

3. If adopted by the City Council, the City will submit the Ordinance to the Los Angeles County Board of Supervisors and request approval of the Ordinance by the County pursuant to Elections Code Section 1301(b).

4. If the Los Angeles County Board of Supervisors does not approve the Ordinance and asserts that the County is entitled to prohibit City from holding a concurrent, but not consolidated, election, then Plaintiffs, at their sole expense, reserve the right to file a separate legal action against the County seeking to compel the County

to approve the Ordinance which must be filed no later than 180 days from the date of the County refusal to approve the Ordinance.

5. If the Los Angeles County Board of Supervisors approves the Ordinance, with or without court order compelling Los Angeles County to do so, or otherwise indicates that the City may hold Council elections in November of even numbered years, then the City will change the Council elections to November of even numbered years in accordance with the provisions of the Ordinance and Elections Code Sections 1301(c) and 10403.5.

6. City will implement cumulative voting subject to, and upon, the following conditions being satisfied and actions taken:

A. The Net Cost for the initial election implementing cumulative voting does not exceed \$400,000. "Net Cost" is defined as the reasonable and necessary expenditures by the City in order to implement cumulative voting, including: (1) any increase in cost between the City's Current Voting Method for the April 2012 Council Election and the least expensive legally permissible cumulative voting method; and (2) the cost to obtain all necessary Federal and State Certifications and approvals ("Certifications"), if any such Certifications are required under the law and required to be borne by the City.

B. The Parties will cooperate in good faith to estimate the Net Cost ("Estimated Net Cost"). In the event of any dispute between the Parties regarding the amount of the Estimated Net Cost, the Court shall resolve such dispute pursuant to its authority under Code of Civil Procedure Section 664.6. If the Estimated Net Cost is more than \$400,000, then there will be no further action taken by City to implement cumulative voting. If the Estimated Net Cost is \$400,000 or less, then the Parties shall proceed with the actions described below in this Paragraph 6.

C. The Parties will request the trial court set a hearing limited to the following legal issue ("Legal Issue"): May a California City adopt a cumulative voting method pursuant to a settlement of a lawsuit alleging violations of the California Voting Rights Act?

D. The trial court hearing is completed on the Legal Issue and the trial court issues an order ("Order") finding that the City may legally change to a cumulative voting method pursuant to a settlement of a lawsuit alleging violations of the California Voting Rights Act. The parties shall jointly schedule a hearing date and briefing schedule with the trial court. The order of the briefing will be as follows: (1) Plaintiffs will begin by filing an Opening Brief on the Legal Issue. (2) City will file an Opposition Brief within 20 days of service of the Plaintiffs Opening Brief. (3) Plaintiffs will file a Reply Brief within 10 days of service of the City's Opposition Brief. The Briefs of the Parties shall be served by electronic mail. There will be no declarations filed by the Parties with the trial court on the Legal Issue. Following the submission of the briefs described herein, the trial

court will hold a hearing on the Legal Issue and there shall be no witnesses permitted at the hearing. The trial court's determination on the Legal Issue (the "Order") shall be final and binding on the Parties. In recognition of the fact that the City is not in any way admitting fault or a violation of the CVRA by virtue of this Settlement Agreement, the Parties agree that neither party will argue to the trial court that cumulative voting is not legally permissible based upon a lack of finding of a violation by the City of the CVRA or that any violation of the CVRA has or has not occurred.

E. If, and once, the trial court issues an Order finding that the City may legally change to a cumulative voting method, then the City will retain a vendor to apply to the State of California to obtain any necessary Certifications for cumulative voting in the event that the California Secretary of State determines that such Certifications are necessary.

F. All necessary Certifications have been obtained, if Certifications are required under the applicable law.

G. After any necessary Certifications are obtained, if any such Certifications are necessary, the Parties will cooperate in good faith to determine the actual Net Cost ("Actual Net Cost"). In the event of any dispute between the Parties regarding the amount of the Actual Net Cost, the Court shall resolve such dispute pursuant to its authority under Code of Civil Procedure Section 664.6. If the Actual Net Cost is more than \$400,000, then there will be no further action required to be taken by the City to implement cumulative voting. However, the City may choose to implement cumulative voting even if the Actual Net Cost is more than \$400,000. If the Actual Net Cost is \$400,000 or less, then the Parties shall be governed by the provisions of Paragraph 11 of this Agreement.

H. If the Actual Net Cost is \$400,000 or less and the trial court Order finds that the City may legally change to a cumulative voting method, then the City will change to cumulative voting for the next scheduled election that is at least one year after the later of the following dates: (1) The date the Order is issued or (2) The date that any and all necessary Certifications are obtained.

7. If there is a lawsuit filed by any person challenging any of the terms of this Agreement ("Legal Challenge") and the trial court in that Legal Challenge issues a judgment finding that the City may not legally comply with one or more of the terms of this Agreement, then the City may, in its sole discretion, comply with such judgment upon the judgment becoming final or, in the alternative, the City may file an appeal from that court judgment. The City agrees that if Plaintiffs seek to intervene in the Legal Challenge, that the City will not oppose such intervention. If the Plaintiffs do intervene in the Legal Challenge, then such intervention and all costs associated therewith incurred at the trial court and any appellate court level, including, but not limited to, attorney fees, shall be borne by Plaintiffs and the City shall have no obligation for payment of any of those costs.

8. If the City implements a cumulative voting system pursuant to this Agreement, then the City reserves the right to change to another voting method at a future date, no less than ten (10) years following the Effective Date of this Agreement, without further order from the court.

9. If there is a change by the City to a by-district election system (as that term is defined in Government Code Section 34871 (a) or (c), whether by legislation or otherwise, then the City is not required to change to a cumulative voting method or, if the City has already changed to a cumulative voting method under this Agreement, then the City may stop using cumulative voting for City Council elections without further order from this Court.

10. The City will pay attorneys fees to counsel for Plaintiffs in the amount of \$400,000 within 30 calendar days of the earlier of the following two dates:

A. The date that Los Angeles County approves the Ordinance or otherwise indicates that the City may hold its elections on a date coinciding with the statewide general elections, whether consolidated with the Los Angeles County ballot or not, or there is a final judgment by a court of competent jurisdiction declaring that the City Council elections may be held in November of even numbered years notwithstanding any opposition by Los Angeles County, or

B. Any and all necessary Certifications have been obtained for the change to a cumulative voting system, there is an Order issued by the trial court finding the City may legally change to a cumulative voting method, and the Actual Net Cost is determined to be \$400,000 or less either by agreement of the Parties or by the trial court.

11. If payment of attorneys fees to counsel for Plaintiffs is required by Paragraph 10 of this Agreement and if the Actual Net Cost is \$400,000 or less, then the Parties agree:

A. If the County of Los Angeles approves changing the Council Elections to November of even numbered years or otherwise indicates that the City may hold its elections on a date coinciding with the statewide general elections, whether consolidated with the Los Angeles County ballot or not, or there is a final judgment by a court of competent jurisdiction declaring that the City Council elections may be held in November of even numbered years notwithstanding any opposition by Los Angeles County, then the City will pay attorneys fees to counsel for Plaintiffs in the additional amount of \$200,000 within 30 calendar days of the date an Order is issued by the trial court that the City may not legally change to a cumulative voting method.

B. If the trial court Order finds on the Legal Issue that the City may legally change to cumulative voting, then the City shall pay attorneys fees to counsel for Plaintiffs in the additional amount of \$200,000 less 50% of the Actual Net Cost as defined above within 30 calendar days of the later of the following

dates: (1) The date the Order is issued by the trial court or (2) The date the Parties agree in writing on the Actual Net Costs or, if the Parties are unable to agree on the Actual Net Cost, then the date of the decision by the trial court setting the amount of the Actual Net Cost.

12. This Settlement Agreement shall be null and void unless at least one of the following two events occurs:

A. The City Council elections are changed to November of even numbered years.

B. There is an Order issued by the trial court on the Legal Issue that the City may legally change to a cumulative voting method (as discussed above), any and all necessary Certifications are obtained, and the Actual Net Cost is determined to be \$400,000 or less either by the agreement of the Parties or by the trial court.

13. Except for the attorneys fees payable to counsel for Plaintiffs as provided in this Agreement, the Parties agree that all other costs incurred both before and after the Effective Date of this Agreement including, but not limited to, attorney fees and expert fees, shall be borne by the party who incurred those costs.

14. The Parties agree that this Agreement will be presented to the City Council for approval following signature of this Agreement by the Plaintiffs and their counsel. If the City Council approves this Agreement, then the Agreement will be signed by the City Manager and the City Council will announce the approval of this Agreement during an open session of the City Council and present to the public at that open session a statement regarding the Agreement.

15. Plaintiffs acknowledge and agree that, as a material inducement to the City to enter into this Agreement that, except as otherwise provided in this Agreement, this Agreement is intended as a full and complete release and discharge of any and all claims that Plaintiffs may or might have or had by reason of the happening of the incidents alleged in the Lawsuit or based upon any other matter between the Parties arising on or before the Effective Date of this Agreement. Plaintiffs understand and agree FURTHER, THAT ALL THEIR RIGHTS UNDER SECTION 1542 OF THE CALIFORNIA CIVIL CODE ARE HEREBY EXPRESSLY WAIVED. Plaintiffs understand that Section 1542 of the California Civil Code provides as follows: "A general release does not extend to claims which the creditor does not know or suspect to exist in his or her favor at the time of executing the release, which if known by him or her must have materially affected his or her settlement with the debtor."

16. Plaintiffs understand and agree that this settlement and the entering into of this Agreement by the City is not an admission of any liability whatsoever for any wrongdoing with respect to Plaintiffs, or any other person or entity, by the City or by any person, firm, officer, official, employee, agent, association, public entity or corporation, but is in compromise of a disputed claim.

17. This Agreement shall be binding upon the individuals and entities signing below and upon their successors, heirs, administrators, representatives, executors, and assigns, and shall inure to the benefit of the individuals and entities signing below and to their heirs, administrators, representatives, executors, successors and assigns.

18. The Changes to Council elections described in this Agreement, including the change of the election date to November of even numbered years and to cumulative voting, are intended to increase voter turn out and reduce the vote dilution, if any, alleged by Plaintiffs in the Lawsuit.

19. This Agreement is made and entered into in the State of California and shall in all respects be interpreted, enforced and governed under the laws of the State of California.

20. Any notice to be given hereunder shall be in writing and delivered personally or sent by first class mail, postage prepaid, to the addresses set forth below, or to such other address as either party may designate by written notice to the other:

Jim Soliz and
Rosemarie Sanchez-Fraser

R. Rex Parris
R. Rex Parris Law Firm
43364 10th Street West
Lancaster, California 93534

and

Kevin I. Shenkman
Shenkman & Hughes
28905 Wight Road
Malibu, California 90265

City of Santa Clarita

City Manager
City of Santa Clarita
23920 Valencia Blvd
Santa Clarita, California 91355

and

Joseph Montes, City Attorney
Burke, Williams & Sorensen LLP
444 S. Flower Street, Suite 2400
Los Angeles, CA 94612

21. The language of all parts of this Agreement shall in all cases be construed as a whole according to its fair meaning, was jointly drafted by the Parties and their legal counsel and shall not be strictly construed for or against any of the Parties.

22. This Agreement will be executed in counterparts, each of which shall be deemed an original, but all of which, taken together, shall constitute one and the same Agreement. There shall be three originals of this Agreement with one to be filed with the Court to be attached to a Judgment Pursuant to Settlement, one for the Plaintiffs and one for the City.

23. It is further agreed by the Parties that no term or condition of this Agreement shall be deemed to have been waived, nor shall there be any estoppel against the enforcement of any provisions of this Agreement, except by an express written instrument of the party charged with such a waiver or estoppel. No such written waiver shall be deemed a continuing waiver unless specifically stated therein, and each such waiver shall operate only as to the specific term or condition waived and shall not constitute a waiver of such term or condition for the future or as to any act other than that specifically waived.

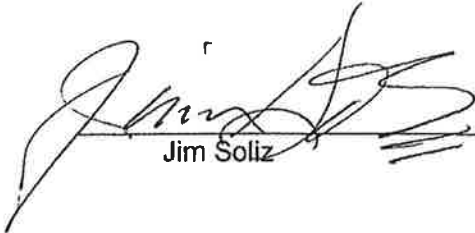
24. This Agreement sets forth the entire agreement between the Parties hereto and fully supersedes any and all prior Agreements or understandings between the Parties hereto pertaining to the subject matter hereof.

25. This Agreement cannot be amended, altered, modified or superseded except by a written agreement so stating signed by Plaintiffs and the City.

SIGNATURES APPEAR ON FOLLOWING PAGES

WHEREFORE, the Parties hereby agree to the foregoing terms of this Agreement.

March 7, 2014


Jim Soliz

March 8, 2014


Rosemarie Sanchez-Fraser

City of Santa Clarita

March 11, 2014

by 
Ken Striplin, City Manager


APPROVED AS TO FORM:

Counsel for Jim Soliz and
Rosemarie Sanchez-Fraser

March ____, 2014

R. Rex Parris
R. Rex Parris Law Firm


March 8, 2014



Kevin I. Shenkman
Shenkman & Hughes

Counsel for
City of Santa Clarita

March 11, 2014



Joseph Montes, City Attorney
City of Santa Clarita

APPROVED AS TO FORM:

Counsel for Jim Soliz and
Rosemarie Sanchez-Fraser

March 8, 2014



R. Rex Parris
R. Rex Parris Law Firm

March 6, 2014



Kevin J. Shenkman
Shenkman & Hughes

Counsel for
City of Santa Clarita

March ___, 2014

Joseph Montes, City Attorney
City of Santa Clarita

**CITY OF SANTA CLARITA
MINUTES OF CITY COUNCIL
SPECIAL MEETING**

5:30 P.M.

**CITY OF SANTA CLARITA
JOINT CITY COUNCIL/BOARD OF LIBRARY TRUSTEES
REGULAR MEETING**

6:00 P.M.

APRIL 22, 2014

CALL TO ORDER

Mayor Weste called to order the special meeting at 5:30 p.m.

ROLL CALL

All Councilmembers were present with the exception of Councilmember Ferry.

ITEM 1

DECLARING RESULTS OF APRIL 8, 2014, GENERAL MUNICIPAL ELECTION

In accordance with Elections Code Sections 10262 and 10263, upon completion of the canvass, the Elections Official (City Clerk) shall certify the results to the governing body (City Council). The City Council shall meet at its usual place of meeting no later than the third Friday after the election, to declare the results and to install the newly elected officers.

Motion by Kellar, second by McLean, to adopt Resolution No. 14-09 reciting the fact of the General Municipal Election held April 8, 2014, declaring the result and such other matters provided by law.

On roll call vote:

Ayes: McLean, Boydston, Kellar, Weste

Noes: None

Absent: Ferry

Motion carried.

CITY CLERK ADMINISTERS THE OATH OF OFFICE TO NEWLY ELECTED CITY COUNCIL MEMBERS

Interim City Clerk Arminé Chaparyan administered the Oath of Office to newly elected Councilmembers Weste, McLean, and Acosta and presented Certificates of Election to all.

NEWLY ELECTED CITY COUNCIL MEMBERS ARE SEATED

REMARKS BY NEWLY ELECTED CITY COUNCIL MEMBERS

Councilmember Acosta thanked his family, friends, campaign volunteers, and residents of Santa Clarita for their support and is looking forward to working with City staff and Council.

Mayor Pro Tem McLean thanked her family, friends, and residents, and commented that she will continue to work to ensure that the City remains one of the safest, cleanest, most open and transparent cities, while looking to the future to maintain our quality of life.

Mayor Weste thanked everyone and commented that it is a blessing and a gift to be able to serve the community. City Council works together to make Santa Clarita a safe and fun City and is looking forward to working on exciting new projects.

ITEM 2

RATIFICATION OF THE CURRENT MAYOR AND MAYOR PRO TEM

At the City Council meeting on May 8, 2012, City Council determined to continue with the Mayor transition in December and add a ratification of the current Mayor and Mayor pro tempore when the election results are certified.

Motion by Kellar, second by McLean, to ratify the current Mayor and Mayor pro tempore.

On roll call vote:

Ayes: McLean, Boydston, Acosta, Weste, Kellar

Noes: None

Absent: None

Motion carried.

COUNCIL COMMENTS

Councilmember Boydston congratulated Mayor Weste and Mayor Pro Tem McLean on their re-election and Councilmember Acosta on his election.

Mayor Pro Tem McLean congratulated Councilmember Acosta.

PUBLIC PARTICIPATION

Addressing the Council was Berta González-Harper, who congratulated the newly elected Councilmembers.

ADJOURN

Mayor Weste adjourned the meeting at 6:09 p.m.

INVOCATION

Councilmember Kellar delivered the invocation.

CALL TO ORDER

Mayor/President Weste called to order the regular joint meeting of the City Council/Board of Library Trustees at 6:24 p.m.

ROLL CALL

All Councilmembers were present.

FLAG SALUTE

Boy Scout troop 303 lead the flag salute.

EXECUTIVE MEETING

This time has been set aside for Councilmembers to review the agenda and obtain any further information that may be needed. Council will also discuss each individual item during the course of the meeting with the exception of the Consent Calendar, which may be approved in its entirety by one motion, unless there is a request to pull an item for discussion. No action will be taken on public agenda items during the Executive Meeting.

APPROVAL OF AGENDA

Motion by Kellar, second by McLean, to approve the agenda pulling items 3, 4, 7, 8, and 14 for comment and item 9 for a separate vote.

Hearing no objections, it was so ordered.

AWARDS AND RECOGNITIONS

Mayor Weste and Council proclaimed May 17, 2014, as Cub Scout Cup Day and presented a proclamation to Dean Yerem, Cub Scout Cup Director.

PRESENTATIONS TO THE CITY

None scheduled.

PUBLIC PARTICIPATION

Addressing the Council was Stephen Daniels regarding term limits, Carmen Caldera regarding Canyon Villa Senior Apartments; Patti Sulpzio representing Citizens Against Billboard Blight regarding the billboard referendum petition; Alan Ferdman regarding billboards; Steve Petzold regarding petition blockers; Cam Noltemeyer regarding the SCV Sanitation District meeting on April 21; and Nicole Fausett regarding Canyon Villa Senior Apartments.

CITY MANAGER COMMENTS

City Manager Ken Striplin commented regarding the senior issue and stated that staff will research the situation and report back to Council; deferred to the City Attorney to comment on referendum signature gathering at the Cowboy Festival; and commented regarding the Landscape Maintenance District assessment processes.

City Attorney Joseph Montes stated that signature gathering for the referendum petition will be in two high traffic designated areas at the Cowboy Festival; and commented that the situation of physical altercations between signature blockers and gatherers on private property could rise to the level of potential criminal violations which would be within the purview of the Sheriff Department to address.

Councilmember Boydston inquired of City Attorney Joseph Montes regarding state or local law penalizing signature blockers and Mr. Montes responded that he was only aware of penal code provisions for blocking pedestrian traffic on public property; and Councilmember Boydston

requested that the City Attorney's Office research any penal code provisions regarding restricting signature gathering on private property and to follow-up with the Sheriff's Department regarding any criminal concerns.

Councilmember Boydston requested Council support to agendize the discussion of sending a letter to Allvision regarding signature blocker's activities. Council did not concur.

Councilmember Kellar announced that there will be five to six public meetings regarding the Chloride issue in May and June and encouraged residents to participate in these meetings.

COMMITTEE REPORTS/COUNCILMEMBER COMMENTS

Councilmember Boydston requested Council concurrence to agendize term limit discussion. Councilmember Acosta concurred, but the balance of the Council did not express verbal concurrence.

Mayor Pro Tem McLean commented regarding the new Santa Clarita Chief of Police, Roosevelt Johnson, and the upcoming "meet and greet" events with residents; commented on her attendance to the artist reception at Valencia Town Center; announced that Santa Clarita is again participating in the Amgen Tour of California bicycle race on May 16 and 17; commented on the upcoming Cowboy Festival; and invited residents to the low cost dog vaccination clinic on May 3, 2014 at the Canine Country Dog Park in Canyon Country.

Councilmember Acosta commented on his campaign experience; and commented on the Cowboy Festival encouraging all to come out.

Councilmember Kellar commented regarding the Help the Children Veteran Appreciation Day on March 29; commented on the Amgen Tour of California and a free event on May 16 celebrating the Tour and a breakfast on May 17 benefiting Circle of Hope, Family Promise and the SCV Senior Center; acknowledged the Los Angeles County Sheriff's graduating class at the College of the Canyons; and commented on the Western Walk of Stars dedication at SENSES event recognizing Charles Bronson and Steve McQueen.

Mayor Weste commented regarding the upcoming Habitat for Humanity WE Build event on May 10 to build pieces for the 87 homes for Veterans and their families; commented regarding the Wings of Life run at 3:00 a.m. on Sunday May 4; thanked staff, first responders, and KHTS for the Home & Garden Show and Emergency Expo on March 29; presented certificates to welcome home service members Corporal Dakota Cigrang and Air Force Captain Kristin Ventura; commented regarding the Willie Nelson concert at the Performing Arts Center; commented regarding the Henry Mayo Volunteer Luncheon event; commented regarding the new postmaster in Santa Clarita – Gabriel Magdaleno; commented regarding the Earth Arbor Day event held at Central Park; commented regarding meeting with representatives of the Disney Corporation and requested their support on the Cemex issue; commented regarding a new State Board of Equalization's (BOE) Taxpayer Service Center in Santa Clarita represented by BOE member State Senator George Runner; commented regarding the Santa Clarita Library volunteer recognition where over 250 volunteers received certificates; and invited residents to attend the upcoming Cowboy Festival on April 24-27.

Councilmember Boydston inquired regarding reports from the Sanitation District subcommittee meeting.

In response, Mayor Weste stated that numerous options, alternative funding opportunities, and grants are leading to cost savings to the chloride reduction plan; and thanked Assemblymember Scott Wilk for legislation supporting the City against the State's unfunded water mandates.

ITEM 1

CONSENT CALENDAR

APPROVAL OF MEETING MINUTES

The minutes of the Joint City Council and Board of Library Trustees meeting are submitted for approval. City Council and Board of Library Trustees: Approve the minutes of the March 25, 2014, regular meeting.

ITEM 2

CONSENT CALENDAR

READING OF ORDINANCE TITLES

Government Code Section 36934 requires that all ordinances be read in full prior to Council taking action on the ordinance. By listing the ordinance title on the Council agenda, Council may determine that the title has been read. City Council determine that the titles to all ordinances which appear on this public agenda have been read and waive further reading.

ITEM 3

CONSENT CALENDAR

MUNICIPAL LAW ENFORCEMENT SERVICES AGREEMENT WITH COUNTY OF LOS ANGELES

Since incorporation, the City of Santa Clarita has contracted with the County of Los Angeles (County) for law enforcement services. Per the terms of the Law Enforcement Agreement (Agreement), the County provides law enforcement services within the incorporated limits of the City. The current five year Agreement between the City of Santa Clarita and a number of cities throughout the County is set to expire on June 30, 2014. City Council approve the Municipal Law Enforcement Agreement with Los Angeles County for the period of July 1, 2014, to June 30, 2019, and authorize the City Manager or designee to sign the contract, subject to City Attorney approval; and authorize the City Manager or designee to execute all documents, including five annual renewal options, in accordance with the terms of the contract, subject to City Attorney approval.

Addressing the Council on this item was Cam Noltemeyer.

ITEM 4

CONSENT CALENDAR

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, MOVING THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM THE SECOND TUESDAY IN APRIL IN EVEN-NUMBERED YEARS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER IN EVEN-NUMBERED

YEARS BEGINNING IN NOVEMBER OF 2016

In June 2013, Plaintiffs filed a lawsuit against the City of Santa Clarita in the Los Angeles County Superior Court alleging that the City is in violation of the California Voting Rights Act of 2001 by, among other things, maintaining an "at large" system for electing members of the City Council. The City disputes the allegations in the lawsuit and denies that the City violated the California Voting Rights Act of 2001. In an effort to avoid the time and expense of protracted litigation, the City and the Plaintiffs have negotiated and executed a settlement (the "Settlement Agreement"), which requires, among other things, that the City Council consider and act on an ordinance to change the day of its general municipal election from the second Tuesday in April of each even-numbered year to the first Tuesday after the first Monday in November of each even-numbered year. City Council adopt an Ordinance entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, MOVING THE DATE OF THE CITY'S GENERAL MUNICIPAL ELECTION FROM THE SECOND TUESDAY IN APRIL IN EVEN-NUMBERED YEARS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER IN EVEN-NUMBERED YEARS BEGINNING IN NOVEMBER OF 2016."

Addressing the Council on this item was Cam Noltemeyer.

ITEM 5

CONSENT CALENDAR

STATE LEGISLATION: AB 1839 (GATTO) FILM TAX CREDITS

On April 4, 2014, the City Council Legislative Committee met and considered AB 1839, currently pending before the California Legislature. If enacted into law, this bill would extend for five years the requirement that the California Film Commission (CFC) annually allocate tax credits to qualified motion pictures and expand eligibility for receipt of the credits. City Council adopt the City Council Legislative Committee's recommendation of a "support" position for Assembly Bill 1839 (Gatto) and transmit position statements to Assembly Member Gatto, Santa Clarita's state legislative delegation, appropriate legislative committees, Governor Brown, and the League of California Cities.

ITEM 6

CONSENT CALENDAR

STATE LEGISLATION: AB 1147 (GOMEZ) MASSAGE THERAPY

On April 4, 2014, the City Council Legislative Committee met and considered AB 1147, currently pending before the California Legislature. If enacted into law, this bill would require massage professionals to pass a massage and bodywork competency assessment examination. City Council adopt the recommendation of the City Council Legislative Committee to "support" Assembly Bill 1147 (Gomez) and transmit letters of support to Assembly Member Gomez, Santa Clarita's State Legislative delegation, appropriate Legislative committees, Governor Brown, and the League of California Cities.

ITEM 7

CONSENT CALENDAR

STATE LEGISLATION: AB 1707 (WILK) WATER QUALITY: SCIENTIFIC PEER REVIEW

On April 4, 2014, the City Council Legislative Committee met and considered AB 1707,

currently pending before the California Legislature. If enacted into law, this bill would amend Section 57004 of the California Health and Safety Code to require scientific peer review of proposed rules, specifically including Total Maximum Daily Loads, adopted by regional water quality control boards. City Council adopt the City Council Legislative Committee's recommendation of a "support" position for Assembly Bill 1707 (Wilk) and transmit letters of support to Assembly Member Wilk, other members of Santa Clarita's State Legislative delegation, appropriate Legislative committees, Governor Brown, and the League of California Cities.

Addressing the Council on this item were Berta González-Harper, Cam Noltemeyer, and Allan Cameron.

ITEM 8

CONSENT CALENDAR

STATE LEGISLATION: AB 2715 (HERNANDEZ) DISTRICT BASED MUNICIPAL ELECTIONS

On April 4, 2014, the City Council Legislative Committee met and discussed AB 2715, currently pending before the California Legislature. If enacted into law, this bill would require a district-based election to be imposed for the election of the members of the governing body of cities with a population of 100,000 or more, based upon the latest census. City Council adopt the City Council Legislative Committee's recommendation of an "oppose" position for Assembly Bill 2715 (Hernandez) and transmit position statements to Assembly Member Hernandez, Santa Clarita's state legislative delegation, appropriate legislative committees, Governor Brown, and the League of California Cities.

Addressing the Council on this item were Berta González-Harper, Allan Cameron, and Glo Donnelly.

Mayor Pro Tem McLean requested and Council concurred to direct staff to compose a letter to the League of California Cities (LCC) and for attendance of Council at LCC board meetings in strong opposition to AB 2715.

ITEM 9

CONSENT CALENDAR

JAN HEIDT/NEWHALL AND SANTA CLARITA METROLINK PARKING LOTS SEAL COAT/REPAIR, PROJECT M0094, FTA PROJECT NUMBER CA-90-Y276 - AWARD CONSTRUCTION CONTRACT

Mayor Weste recused herself from participating on this item due to the proximity of her property to the Newhall Metrolink Station.

This project will seal coat the existing asphalt parking lots and repair heaved concrete curbs around the tree planter areas as well as repair the asphalt and cement driveways.

Motion by Kellar, second by Acosta, to approve the plans and specifications for the Jan Heidt/Newhall and Santa Clarita Metrolink Station Parking Lots Seal

Coat/Repair, Project M0094, Federal Transit Administration (FTA) Project Number CA-90-Y276; award the construction contract to California Pavement Services, Inc., in the amount of \$198,946, and authorize a ten-percent contingency in the amount of \$19,895, for a total contract amount not to exceed \$218,841; authorize the use of FTA)grant funds and increase Revenue Account 700-4424.009 by \$220,000 and appropriate \$220,000 to Expenditure Account M0094700-5161.001; decrease revenues in Transportation Development Act (TDA) Article 8 Account 233-4421.002 and reduce TDA Article 8 funds (233) in Expenditure Account M0094233-5161.001 by \$22,000; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

On roll call vote:

Ayes: Acosta, McLean, Boydston, Kellar,

Noes: None

Recused: Weste

Absent: None

ITEM 10

CONSENT CALENDAR

2012-13 FEDERAL OVERLAY PROGRAM, PROJECT M0096 - CREATE A NEW PROJECT AND BUDGET AND AWARD CONSTRUCTION CONTRACT

The annual overlay and slurry seal project is an integral part of the City's pavement management program and provides pavement and slurry seal asphalt maintenance treatments to selected City streets. Federal Project M0096 will repave and overlay Lyons Avenue between Wiley Canyon Road and Walnut Street. City Council approve the plans and specifications for the 2012-13 Federal Overlay Program, Project M0096; award the construction contract to All American Asphalt in the amount of \$2,066,750 and authorize a ten percent contingency in the amount of \$206,675 for a total contract amount not to exceed \$2,273,425; authorize an expenditure increase in the amount of \$30,000 to Pavement Engineering, Inc., to the existing professional services contract to provide project design support services; authorize an expenditure in the amount of \$160,000 to Twining, Inc., for a professional services contract to provide project inspection and materials testing; authorize the following transactions totaling \$2,606,088 to fund the 2012-13 Federal Overlay Program, Project M0096; authorize the transfer of \$25,772 in project savings of Gas Tax Funds (230) from the 2011-12 Overlay and Slurry Seal Program Expenditure Account M0084230-5161.001 to the 2012-13 Federal Overlay Program Expenditure Account M0096230-5161.001; authorize the transfer of \$227,770 in project savings of Transportation Development Act (TDA) Article 8 Funds (233) from the 2011-12 Overlay and Slurry Seal Program Expenditure Account M0084233-5161.001 to the 2012-13 Federal Overlay Program Expenditure Account M0096233-5161.001; authorize the transfer of \$283,825 in project savings of TDA Article 8 Funds (233) from the 2011-12 Federal Overlay Program Expenditure Account M0089233-5161.001 to the 2012-13 Federal Overlay Program Expenditure Account M0096233-5161.001; authorize the transfer of \$535,400 in Surface Transportation Program Local (STPL) Funds (202) from the 2013-14 Overlay and Slurry Seal Program Expenditure Account M0097202-5161.001 to the 2012-13 Federal Overlay Program Expenditure Account M0096202-5161.001; authorize the appropriation of \$1,533,319 in STPL Funds (202) to the 2012-13 Federal Overlay Program Expenditure Account M0096202-5161.001; and authorize the City Manager or

designee to execute all documents, subject to City Attorney approval.

ITEM 11

CONSENT CALENDAR

FISCAL YEAR 2013-14 ANNUAL CONCRETE REHABILITATION PROGRAM (CITYWIDE), PROJECTS M0098, M0099, AND T0042 - AWARD CONSTRUCTION CONTRACT

These capital improvement projects consist of the removal and replacement of damaged sidewalks, driveway approaches, and curb and gutter, and the construction of access ramps at various locations within the City. City Council approve the plans and specifications for the Fiscal Year 2013-14 Annual Concrete Rehabilitation Program (Citywide), Projects M0098, M0099, and T0042; award the construction contract to the lowest responsible bidder, FS Construction, in the amount of \$800,290 and authorize additional work in the amount of \$120,285, for a total contract amount not to exceed \$920,575; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 12

CONSENT CALENDAR

RYE CANYON ROAD MEDIAN LANDSCAPE, PROJECT B1012 - AWARD DESIGN CONTRACT

This project will design the Rye Canyon Road Median Landscape project. City Council award the design contract to Pacific Coast Land Design, Inc., for the Rye Canyon Road Median Landscape, Project B1012, in the amount of \$58,639, and authorize a contingency in the amount of \$5,864, for a total contract amount not to exceed \$64,503; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 13

CONSENT CALENDAR

SIGNAL MODIFICATIONS AND IMPROVEMENTS AT GOLDEN VALLEY ROAD AT ROBERT C. LEE PARKWAY, BOUQUET CANYON ROAD AT CENTRAL PARK, AND VIA PRINCESSA AT VISTA DEL CANON, PROJECT C4011 - AWARD CONSTRUCTION CONTRACT

This project will improve overall safety by upgrading the traffic signals at three intersections to provide protected left-turn phasing, including modifications to turn pockets and pedestrian ramps compliant with the Americans with Disabilities Act. City Council approve the plans and specifications for the HSIP-5450(079) Golden Valley Road at Robert C. Lee Parkway, Bouquet Canyon Road at Central Park, and Via Princessa at Vista Del Canon Signal Modifications and Improvements, Project C4011; award the construction contract to Palp, Inc., DBA Excel Paving Company, in the amount of \$491,007 and authorize a 15-percent contingency in the amount of \$73,650, for a total contract amount not to exceed \$564,657; decrease Miscellaneous Grant Revenue in Account 259-4621.001 by \$459,500, and decrease Expenditure Account C4011259-5161.001 by \$459,500; increase Miscellaneous Federal Grant Revenues in Account 229-4424.009 by \$459,500 and appropriate \$459,500 to Expenditure Account C4011229-5161.001; increase Miscellaneous Federal Grant Revenues in Account 229-4424.009 by \$26,000 and appropriate \$26,000 to Expenditure Account C4011229-5161.001; and authorize the City Manager or designee to execute all documents, subject to City Attorney approval.

ITEM 14

CONSENT CALENDAR

ADOPT RESOLUTION ACCEPTING HASKELL VISTA LANE INTO THE CITY STREET SYSTEM

A resolution of the City Council of the City of Santa Clarita, California, accepting Haskell Vista Lane into the City street system. City Council adopt **Resolution No. 14-10** accepting Haskell Vista Lane into the City street system.

Addressing the Council on this item was Susan Felt.

ITEM 15

CONSENT CALENDAR

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANTA CLARITA AND THE NEWHALL COUNTY WATER DISTRICT REGARDING THE RESERVATION OF A WELL SITE ON NEWHALL PARK PROPERTY

City staff and their counterparts from the Newhall County Water District have been working cooperatively to determine a suitable replacement site for a water well that was retired and capped to allow for the development of an outdoor green space adjacent to the Newhall Community Center. City Council approve the draft Memorandum of Understanding (MOU) that has been negotiated between the City of Santa Clarita (City) and the Newhall County Water District (NCWD), and authorize the City Manager to finalize, sign, and accept the MOU on behalf of the City.

ITEM 16

CONSENT CALENDAR

FISCAL YEAR 2012-13 COMPREHENSIVE ANNUAL FINANCIAL REPORT AND OTHER RELATED REPORTS

The City's independent audit firm, McGladrey LLP, has completed the City's annual audit for fiscal year ending June 30, 2013. McGladrey LLP conducted the audit in accordance with generally accepted auditing standards, whereby an audit plan was prepared and followed to obtain reasonable assurance the City's financial statements were free from material misstatements. City Council approve the Comprehensive Annual Financial Report and other related reports for fiscal year ending June 30, 2013.

One written comment was received.

ITEM 17

CONSENT

CITY OF SANTA CLARITA'S FISCAL YEAR 2014-15 STATEMENT OF INVESTMENT POLICY

Per California Government Code Section 53646, the City Treasurer may annually present the City's Investment Policy to the City Council to reaffirm or make any changes to the existing policy. City Council adopt the City of Santa Clarita's Fiscal Year 2014-15 Statement of Investment Policy, and direct staff to submit the policy to the Association of Treasurers United

States and Canada (APT US&C) for certification in their annual award program.

ITEM 18

CONSENT CALENDAR

CHECK REGISTER NO. 6

Approval of the Check Register. City Council approve and ratify for payment the demands presented in Check Register No. 6.

Motion by Kellar, second by Boydston, to approve the Consent Calendar with the exception of Item 9, which was pulled for a separate vote.

On roll call vote:

Ayes: Kellar, Acosta, McLean, Boydston, Weste

Noes: None

Absent: None

Motion carried.

PUBLIC PARTICIPATION CONTINUED

Addressing the Council at this time was Allan Cameron regarding forming alliances with other cities and the election process; Berta González-Harper regarding signature gatherers; Lisa Saunders regarding Canyon Villa Senior Apartments; and Rosie Duran regarding Canyon Villa Senior Apartments.

ADJOURNMENT

Mayor Weste adjourned the meeting at 8:03 p.m.

FUTURE MEETINGS

The next regular meeting of the City Council will be held Tuesday, May 13, 2014, at 6:00 p.m. in the Council Chambers, 1st floor of City Hall, 23920 Valencia Blvd., Santa Clarita, CA.

ATTEST:


CITY CLERK


MAYOR